

OGC 82-07828  
25 August 1982

MEMORANDUM FOR: Director of Central Intelligence

FROM: Stanley Sporkin  
General Counsel

SUBJECT: Reporting to the IOB

Attached at Tab A is a letter to you from the Chairman of the Intelligence Oversight Board setting forth his understanding about the obligation of heads of agencies and departments within the Intelligence Community to report to the Board intelligence activities that might be unlawful or contrary to Executive Order or Presidential directive. Attached at Tab B is a reply for your signature stating that you concur.

A rectangular box with a black border, used to redact the signature of Stanley Sporkin.

STAT

Stanley Sporkin

Attachments

B-204

## EXECUTIVE SECRETARIAT

## Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	EXDIR		X		
4	D/ICS				
5	DDI				
6	DDA				
7	DDO				
8	DDS&T				
9	Chm/NIC				
10	GC	X			
11	IG		X		
12	Compt				
13	D/EEO				
14	D/Pers				
15	D/OEA				
16	C/PAD/OEA				
17	SA/IA				
18	AO/DCI				
19	C/IPD/OIS				
20					
21					
22					
SUSPENSE		20 August 82 Date			

Remarks: Please prepare acknowledgment for Acting DCI's signature.

Executive Secretary  
13 Aug 82

Date

82-5697

## THE WHITE HOUSE

WASHINGTON

## PRESIDENT'S INTELLIGENCE OVERSIGHT BOARD

August 6, 1982

Dear Mr. Casey:

As you may know, during both the Ford and Carter Administrations the heads of agencies and departments within the Intelligence Community were required to submit periodic reports to the President's Intelligence Oversight Board identifying activities of their organizations raising "questions of legality or propriety."

Since a similar requirement is imposed upon General Counsel and Inspectors General within the Community, and the previous Board took the position that activities already reported through GC/IG channels did not need to be reported by agency heads, this annual reporting requirement for agency heads was not carried forward in Executive Order 12334 (1981). Instead, the new order simply directs department and agency heads to "provide the Board with all information necessary to carry out its responsibilities."

It has come to our attention that on at least one occasion in the past an intelligence activity was deemed so sensitive by an agency head that the agency's General Counsel was not informed of it. Were this to happen again, it would be the Board's position that the agency head had assumed responsibility for insuring that the activity conformed with the Constitution, applicable laws, Executive Orders and Presidential Directives. Hence, if there were reason to believe that the activity might be unlawful or contrary to Executive Order or Presidential Directive, the agency head would be obligated promptly to notify the PIOB of the activity, unless the President had specifically instructed that the Board was not to be informed.

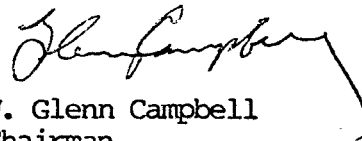
In short, while we agree, as reflected in the new Executive Order, that routine annual reports from agency heads are unnecessary, the deletion of this requirement was not intended to exclude from effective oversight those intelligence activities of which agency General Counsel and Inspectors General might be unaware. If you have any questions concerning this interpretation, I would appreciate your advising me so that we can seek any necessary clarification.

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Particularly since we will no longer be receiving mandatory annual reports, we thought it would be mutually beneficial for the Board to meet from time to time with the heads of Intelligence Community agencies to discuss oversight matters. With this in mind, we may be contacting your office within the coming months to schedule such a meeting.

With best wishes, I am

Sincerely,



W. Glenn Campbell  
Chairman

The Honorable William J. Casey  
Director of Central Intelligence  
Washington, D. C. 20505